

**In the United States District Court
For the Southern District of Georgia
Waycross Division**

DAVID BENNETT,

Plaintiff,

v.

REX HARPER; and JAMIE MERRITT,

Defendants.

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CIVIL ACTION NO.: 5:18-cv-48

ORDER

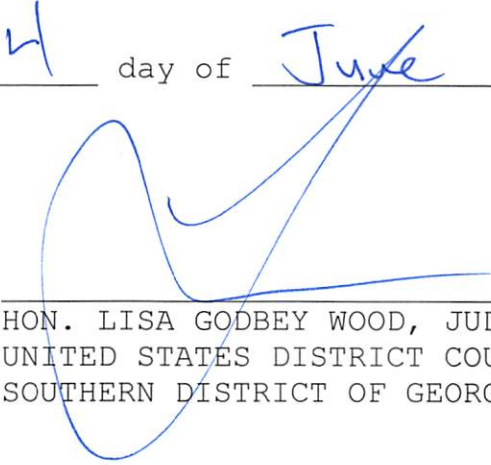
After an independent and de novo review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation issued on May 10, 2019. Dkt. No. 10. Defendants did not file any Objections.

Plaintiff, additionally, did not file any Objections. However, on May 16, 2019, Plaintiff submitted a Motion seeking an update on the status of his case. Dkt. No. 11. Notably, Plaintiff's Motion is dated May 6, 2019, days before the Report and Recommendation was issued, indicating Plaintiff may not have received the Report and Recommendation at the time he prepared the Motion. In any case, Plaintiff makes no reference to the Report and Recommendation in his Motion. Id.; Dkt. No. 11-1. Rather, he merely inquires about the status of his pending

action. Dkt. No. 11, p. 1. Nothing in Plaintiff's Motion could be construed as an objection to the Magistrate Judge's Report and Recommendation. See Fed. R. Civ. P. 72)(b)(2) ("Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations."); Fed. R. Civ. P. 72)(b)(3) ("The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to."). The Court has not received any filing other than the Motion since the Report and Recommendation were issued.

Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation, dkt. no. 10, as the opinion of the Court and **DISMISSES** Plaintiff's false imprisonment and false arrest claims against Defendants. However, Plaintiff's Fourth Amendment unreasonable search claim remains pending against both Defendants.

SO ORDERED, this 4 day of June, 2019.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA